

Chairman Topping and Planning Commissioner's,

I wanted to first thank all of you for the time you are putting into the review of the Water Neutral New Development and Water Waste Prevention components of the Countywide Water Conservation Program. It is clear when you are asking questions that you are all doing your homework and I have no doubt that all of you will have the best interest of the County, and its residents, in mind when you ultimately decide on the final language for the various Ordinances.

I focused my comments at today's hearing on the Ag Off-Set Program. As stated in my testimony, I strongly believe that there should be an exemption written into the Ag Off-Set Ordinance that would support the smaller farming operations. An exemption for smaller plantings is the only way that I can see small, boutique, heirloom, permaculture, organic, or even 'normal' food farms to be able to survive in the North County.

Without an exemption incorporated into the Ordinance, the Ordinance will do the following (it is already happening under the Urgency Ordinance):

- Eliminate the ability for smaller farms to expand
- Encourage the sale of small farms as the 'water off-sets' for the water use associated with their existing food crop operations (high water duty factor) will become very valuable and the larger operators will buy the small farms out. The larger operators will then convert food crops (1.9 afy/ac) to more acres in vineyards (1.25 afy/ac) through the water off-set provisions
- There will be no new small, sustainable, organic (or not) food related farms in the North County
- Local farm to table movement and local food supply will disappear
- Farmers markets will be out of the area farmers
- The Ordinance will support the large corporations as they will be the only entities that can buy properties for off sets (likely properties where our food crops are being grown) and they will continue to plant large acreages of vineyards that may or may not be sold of our county

My thoughts to protect our local food producers and to continue to protect the health of the Water Basin are simple and include the following basic principles

- **Require a Zoning Clearance to plant up to 20 acres of new irrigated crops on properties (no matter the size of the property) that overlie the Paso Robles Groundwater Basin**
- **The 20-acre restriction can be regulated through recordation of a deed restriction on the property**
- **Require best management / irrigation practices**
- **Require annual monitoring be sent to the County to verify that the irrigated agriculture has not increased**
- **Prohibit the property that is planted under the 20 acre exemption from being used as an off-set on another property in the future**

I am sure there will be many other items to consider such as: What if there are 15 acres of crops planted on a property? Can that property plant another 20 acres in crops? I would say “NO”. The exemption should be written in such a way to allow up to 20 acres of irrigated crop on a single property. That way we don’t end up with the larger already planted properties using this exemption to plant 20 additional acres on their property.

This exemption should be solely focused on allowing small specialized agriculture to continue to be established until such time as other means are made available for planting in the future Groundwater Sustainability Plan for the PRGWB. Based on my experience with the number of vested rights exemptions applied for (and approved) over the last 2 years for the smaller acreages (under 20 acres), I do not see that this will open up a ‘rush to plant’ situation. The acreage is small enough that it won’t be attractive to the larger operations but it will be big enough to support small specialized farming operations.

This provision could also encourage some properties that are irrigating portions of their lands for no real purpose other than to maintain the right to do so – to stop irrigating.

I appreciate your consideration of my thoughts and if you have any questions or other ideas, please do not hesitate to email me or call me directly.

Jamie Kirk

President

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